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*Attorneys for Irving H. Picard, Esq., Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**NOTICE OF ADJOURNMENT**

**PLEASE TAKE NOTICE** that Martin M. Surabian, Richard Surabian and Steven  
Surabian (the “Surabians”) submitted the following pleadings to the Court:

- Motion to File Late Opposition to Trustee’s Third Omnibus Motion to Expunge Claims and Objections of Claimants that Did Not Invest with BLMIS or in Entities that Invested in BLMIS, on January 2, 2013 (ECF No. 5186) (“Motion To File Late Objection to Expungement Motion”).
- Motion to File Late Appeal of Order Granting Approval [of Trustee’s Third Omnibus Motion], on January 2, 2013 (ECF No. 5186) (“Motion to File Late Appeal of Expungement Order”).<sup>1</sup>
- Objection to Trustee’s Third Omnibus Motion to Expunge Claims and Objections of Claimants that Did Not Invest with BLMIS or in Entities that Invested in BLMIS, on January 2, 2013 (ECF No. 5187) (“Objection to Expungement Motion”).<sup>2</sup>
- Motion to subpoena Bernard L. Madoff on January 2, 2013 (ECF No. 5188) (“Motion To Subpoena Madoff”).
- Motion to Vacate Order and Judgment of Trustee’s Third Omnibus Motion to Expunge Claims and Objections of Claimants that Did Not Invest with BLMIS or in Entities that Invested in BLMIS Regarding the Surabians Claims, on January 22, 2013 (ECF No. 5206) (“Motion To Vacate Expungement Order”).
- Motion to File Late Appeal of the Order Approving the Trustee’s Motion for an Order Granting the Second Interim Distribution to Customers of BLMIS on January 7, 2013 (ECF No. 5209) (“Motion To File Late Appeal of Second Interim Distribution Order”).
- Motion to Subpoena the Books and Records of BLMIS, Bernard L. Madoff, SIPC and the Trustee Concerning the Customers and Payments to Customers and How They Were

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<sup>1</sup> The Motion to File Late Appeal of Expungement Order was included in the same document as the Motion For Late Filed Objection (ECF No. 5186).

<sup>2</sup> The Trustee and SIPC have no objection to the Court treating the Objection to Expungement Motion as an exhibit to the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff.

Determined to be Customers of BLMIS, on March 25, 2013 (ECF No. 5290) (“Motion to Subpoena Books and Records”).

**PLEASE TAKE FURTHER NOTICE** the hearings on the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff, previously scheduled to take place on April 11, 2013, at 10:00 a.m., have been adjourned to **April 25, 2013, at 10:00 a.m.**

**PLEASE TAKE FURTHER NOTICE** that counsel for the Trustee contacted Steven Surabian on March 26, 2013, and he agreed on behalf of the Surabians that the briefing schedule on the Motion to Subpoena Books and Records be revised as described herein.

**PLEASE TAKE FURTHER NOTICE** that the Trustee’s time to respond to the Motion to Subpoena Books and Records shall be on or before April 4, 2013. The Trustee will serve the Surabians by overnight mail for delivery on or before April 5, 2013.

**PLEASE TAKE FURTHER NOTICE** that the Securities Investor Protection Corporation’s time to respond to the Motion to Subpoena Books and Records shall be on or before April 4, 2013. The Securities Investor Protection Corporation will serve the Surabians by overnight mail for delivery on or before April 5, 2013.

**PLEASE TAKE FURTHER NOTICE** that the Surabians’ time to file a reply brief relating to the Motion to Subpoena Books and Records shall be on or before April 11, 2013. The Surabians will both serve the Trustee and file with the Bankruptcy Court by overnight mail for delivery on or before April 12, 2013.

**PLEASE TAKE FURTHER NOTICE** that the hearing on the Motion to Subpoena Books and Records will be held on **April 25, 2013 at 10:00 a.m.**

**PLEASE TAKE FURTHER NOTICE** that determination of the briefing schedules and hearings on the Motion to File Late Appeal of Expungement Order, the Motion To File Late

Appeal of Second Interim Distribution Order, and the Objection to Expungement Motion previously set for status conference on April 11, 2013, shall be further adjourned and set for status conference on **April 25, 2013, at 10:00 a.m.**

**PLEASE TAKE FURTHER NOTICE** that hearings and conferences described above will be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, United States Bankruptcy Court, One Bowling Green, New York, New York 10004, Courtroom 623.

Dated: New York, New York  
March 27, 2013

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